

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FREEDOM MORTGAGE CORPORATION,
Plaintiff,

v.

JONATHAN B. VELEZ and CARISSA
VELEZ,
Defendants.
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ORDER

23 CV 133 (VB)

4/11/23

On January 6, 2023, plaintiff commenced the instant action by filing a complaint. (Doc. #1).

Also on January 6, 2023, plaintiff requested a summons as to defendants, which the Clerk of Court issued on January 9, 2023. (Docs. ##3, 5).

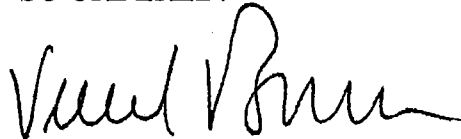
More than ninety days have elapsed since the complaint was filed. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure: "If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

Pursuant to Rule 4(m), plaintiff had until April 6, 2023, to serve defendants. However, the docket does not reflect that either defendant has been served.

Accordingly, pursuant to Rule 4(m), this action will be dismissed without prejudice unless, on or before **April 18, 2023**, plaintiff either: (i) files on the ECF docket proof of service, indicating each defendant was served on or before April 6, 2023; or (ii) shows good cause in writing for plaintiff's failure to comply with Rule 4(m).

Dated: April 11, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge